

1 Introduced by Committee on Government Operations and Military Affairs

2 Date:

3 Subject: Elections; ranked-choice voting; mail-in ballots; cross-nominations;
4 remote voting; campaign finance

5 Statement of purpose of bill as introduced: This bill proposes to require the
6 Secretary of State to report on the feasibility of permanently instituting ranked-
7 choice voting for presidential primary elections. It proposes to prohibit a
8 major political party from nominating a candidate for a general election if that
9 party failed to nominate a candidate during the primary election. This bill
10 proposes to prohibit a candidate who loses a major party primary for any office
11 from appearing on the general election ballot for the same office for which the
12 candidate lost in the primary election as an independent candidate or
13 representing any other party. This bill proposes to prohibit candidates from
14 receiving cross-nominations from multiple political parties. It proposes to
15 have mail-in ballots sent to voters for primary elections in addition to general
16 elections. It proposes to require the Secretary of State to report on the
17 feasibility of permitting electronic ballot return for voters who are ill, injured,
18 or have a disability; military and overseas voters; and voters who participate in
19 the Secretary of State’s Address Confidentiality Program. This bill proposes to
20 permit candidates to provide additional demographic information. It proposes
21 to require write-in candidates to file consent of candidacy forms in advance of

1 an election and to increase the minimum thresholds for write-in candidate in
2 primary elections. This bill proposes to make various modifications to
3 campaign finance reporting and requirements. This bill proposes to require the
4 Secretary of State to perform an audit of all voter checklists for Representative
5 districts and Senatorial districts to ensure that those checklists accurately
6 correspond to the prescribed district boundaries. It also proposes to modify
7 deadlines for various State and local election procedures.

8 An act relating to miscellaneous changes to election law

9 It is hereby enacted by the General Assembly of the State of Vermont:

10 * * * Ranked-Choice Voting Report * * *

11 **Sec. 1. REPORT**

12 On or before January 15, 2026, the Secretary of State shall submit a written
13 report to the House Committee on Government Operations and Military
14 Affairs and the Senate Committee on Government Operations regarding the
15 feasibility and associated costs of permanently instituting ranked-choice voting
16 for presidential primary elections in the State.

17 * * * Failure of a Major Political Party to Nominate a Candidate by Primary

18 * * *

19 **Sec. 2. 17 V.S.A. § 2381 is amended to read:**

20 **§ 2381. APPLICABILITY OF SUBCHAPTER**

1 (a) A candidate may also be nominated and have the candidate's name
2 printed on the general election ballot in accordance with the provisions set
3 forth in this subchapter, in the following instances:

4 (1) ~~In~~ in case of a vacancy on the general election ballot occasioned by
5 death, removal, or withdrawal of a candidate, ~~or~~ but not for the failure of a
6 major political party to nominate a candidate by primary;

7 (2) ~~In~~ in case a minor political party desires to nominate a candidate for
8 any office for which major political parties nominate candidates by primary or
9 for the offices of President and Vice President of the United States; and

10 (3) ~~In~~ in case of nomination for the office of justice of the peace, in the
11 event that such nomination has not already been made by caucus as provided in
12 section 2413 of this chapter.

13 * * *

14 Sec. 3. 17 V.S.A. § 2386 is amended to read:

15 § 2386. TIME FOR FILING STATEMENTS

16 (a) ~~In the case of the failure of a major political party to nominate a~~
17 ~~candidate by primary, a statement shall be filed not later than 5:00 p.m. on the~~
18 ~~sixth day following the primary. [Repealed.]~~

19 * * *

20 * * * One-Bite Candidacy * * *

21 Sec. 4. 17 V.S.A. § 2381 is amended to read:

1 § 2381. APPLICABILITY OF SUBCHAPTER

2 * * *

3 (c) In no event shall a candidate who loses a major party primary be
4 nominated to appear on the general election ballot pursuant to this subchapter
5 by a committee of any party other than the party for which the candidate
6 appeared on the primary ballot.

7 Sec. 5. 17 V.S.A. § 2401 is amended to read:

8 § 2401. APPLICABILITY OF SUBCHAPTER

9 (a) A person may be nominated and have ~~his or her~~ the person's name
10 printed on the general election ballot for any office by filing a consent similar
11 in form to the consent prescribed by section 2361 of this title and a statement
12 of nomination with the Secretary of State. In the case of a nomination for
13 justice of the peace, the consent form and statement of nomination shall be
14 filed with the town clerk.

15 (b) A candidate who loses a major party primary for any office shall not
16 appear on the general election ballot as an independent candidate for the same
17 office for which the candidate lost in the primary election.

18 * * * Cross-Nominations * * *

19 Sec. 6. 17 V.S.A. § 2472 is amended to read:

20 § 2472. CONTENTS

21 * * *

1 (b)(1) Each office to be voted upon shall be separately indicated and
2 preceded by the word “For,” as: “For United States Senator.” Beneath the
3 office to be voted upon shall appear the instructions: “Vote for not more than
4 (the number of candidates to be elected).”

5 (2) The names of the candidates for each office shall be listed in
6 alphabetical order by surname, followed by the candidate’s town of residence,
7 and the party or parties by which the candidate has been nominated, or in the
8 case of independent candidates who have not chosen some other name or
9 identification, by the word “Independent.” The word “party” shall not be
10 printed on the ballot following a candidate’s party name.

11 (3) To the right of the party designation shall be an oval in which the
12 voter may indicate ~~his or her~~ the voter’s choice by filling in the oval.

13 (4) A candidate’s name shall not appear on the ballot more than once for
14 any one office.

15 (5) A candidate may only list a single party next to the candidate’s name
16 on the general election ballot, as selected by the candidate pursuant to section
17 2474 of this chapter.

18 * * *

19 Sec. 7. 17 V.S.A. § 2474 is amended to read:

20 § 2474. CHOICE OF PARTY

1 (a)(1) A person nominated by any means for the same office by more than
2 one political party ~~may~~ shall elect, not later than 5:00 p.m. on the ~~tenth~~ 10th
3 day following the primary election, the party ~~or parties~~ in which the nominee
4 will be a candidate. The nominee shall notify in writing the Secretary of State
5 ~~or town clerk, as the case may be,~~ of such choice by that deadline, and only the
6 party ~~or parties~~ that the nominee so elects shall be printed next to the
7 nominee’s name on the ballot.

8 (2) If the nominee does not notify the Secretary of State ~~or the town~~
9 ~~clerk of his or her~~ the nominee’s choice of party, the Secretary of State shall
10 print on the ballot ~~those parties~~ next to the nominee’s name ~~by listing in this~~
11 ~~order~~ the name of:

12 ~~(A)~~ the major political party for which the nominee had ~~his or her~~ the
13 nominee’s name printed on the ballot in the primary;

14 ~~(B)~~ ~~any major political parties that nominated the nominee by the~~
15 ~~party committee, in the order in which the nominations were submitted to the~~
16 ~~Secretary of State;~~

17 ~~(C)~~ ~~any major political parties for which the nominee received write-~~
18 ~~in votes, in an order from highest to lowest vote counts; and~~

19 ~~(D)~~ ~~any minor political parties that nominated the nominee by party~~
20 ~~committee, in the order in which the nominations were submitted to the~~
21 ~~Secretary of State.~~

1 ~~(b)(1) A candidate for State office who is the nominee of two or more~~
2 ~~political parties shall file with the Secretary of State, not later than 5:00 p.m.~~
3 ~~the tenth day following the primary election, a statement designating for which~~
4 ~~party the votes cast for him or her shall be counted for the purposes of~~
5 ~~determining whether his or her designated party shall be a major political~~
6 ~~party. The party so designated shall be the first party to be printed~~
7 ~~immediately after the candidate's name on the ballot.~~

8 ~~(2) If a candidate does not file the statement by that deadline, the~~
9 ~~Secretary of State shall designate the party for which the votes cast shall be~~
10 ~~counted as provided in subdivision (a)(2) of this section. [Repealed.]~~

11 * * * Mail-in Ballots for Primary and General Elections

12 Sec. 8. 17 V.S.A. § 2537a is amended to read:

13 § 2537a. MAILING OF PRIMARY AND GENERAL ELECTION

14 BALLOTS

15 (a) For every primary and general election, the Secretary of State's office
16 shall mail a ~~general election~~ ballot to all active voters on the statewide voter
17 checklist described in section 2154 of this title.

18 (1) The mailing of the ballots shall commence not later than 43 days
19 before the election and, for the general election, shall be completed not later
20 than October 1.

1 (2) A postage-paid return envelope, pre-addressed to the town or city
2 clerk of the town or city where the voter is registered to vote, shall be included
3 with the ballot sent to every voter in which the ballot may be mailed back to
4 the clerk. All postage cost shall be paid by the Secretary of State’s office.

5 (3) The address file to be used for the mailing shall be generated from
6 the statewide voter checklist as close as practicable to the date of the mailing
7 and, for the general election, in no case earlier than September 1.

8 (4) The Secretary of State’s office shall include in the mailing to each
9 voter instructions for return of the voted ballot.

10 (b) ~~General~~ Primary and general election ballots mailed by the Secretary of
11 State’s office under this section shall be returned by the voter to the town or
12 city clerk in the town or city where that voter is registered in accordance with
13 the procedures for return of ballots described in this subchapter.

14 * * * Electronic Ballot Returns Report * * *

15 Sec. 9. REPORT

16 On or before November 15, 2025, the Secretary of State shall submit a
17 written report to the House Committee on Government Operations and
18 Military Affairs and the Senate Committee on Government Operations
19 regarding the feasibility and associated costs of permitting electronic ballot
20 return for voters who are ill, injured, or have a disability; military and overseas

1 voters; and voters who participate in the Secretary of State’s Address

2 Confidentiality Program.

3 * * * Candidate Demographic Information * * *

4 Sec. 10. 17 V.S.A. § 2359 is amended to read:

5 § 2359. NOTIFICATION TO SECRETARY OF STATE

6 (a) Within three days after the last day for filing petitions, all town and
7 county clerks who have received petitions shall ~~notify~~ file with the Secretary of
8 State ~~of the names of all candidates, a list containing the name, gender, age,~~
9 race or ethnicity, mailing address, and email address of all candidates, to the
10 extent this information is provided by candidates; the offices for which ~~they~~
11 the candidates have filed; and whether each candidate has submitted a
12 sufficient number of valid signatures to comply with the requirements of
13 section 2355 of this title. Town and county clerks shall also notify the
14 Secretary of State of any petitions found not to conform to the requirements of
15 this chapter and returned to a candidate under section 2358 of this title; and
16 shall notify the Secretary of State of the status of such ~~petition~~ petitions not
17 later than two days after the last day for filing supplementary petitions.

18 (b) Information of a candidate’s gender, age, or race or ethnicity collected
19 pursuant to subsection (a) of this section is exempt from public inspection and
20 copying under the Public Records Act and shall be kept confidential, except

1 that the Secretary of State may publish information pertaining to candidates'
2 gender, age, or race or ethnicity in aggregate form.

3 Sec. 11. 17 V.S.A. § 2361 is amended to read:

4 § 2361. CONSENT OF CANDIDATE

5 * * *

6 (b)(1) The consent shall set forth the ~~name of the candidate,~~ candidate's
7 name as the candidate wishes to have it printed on the ballot; ~~the candidate's~~
8 gender, age, or race or ethnicity; ~~town of residence, and;~~ correct mailing
9 address; and email address. A candidate who does not provide information
10 pertaining to gender, age, or race or ethnicity may still appear on the ballot if
11 all other requirements are met.

12 * * *

13 Sec. 12. 17 V.S.A. § 2665 is amended to read:

14 § 2665. NOTIFICATION TO SECRETARY OF STATE

15 The town clerk shall file with the Secretary of State a list ~~of the names and~~
16 ~~addresses of the selectboard members elected and~~ containing the name, gender,
17 age, race or ethnicity, street address, and email address, to the extent the
18 information is provided by the candidate, and the end date of the term of office
19 of each selectboard member, city councilor, village trustee, and mayor elected.
20 The town clerk shall not be required to ask the candidate for information
21 pertaining to gender, age, or race or ethnicity if this information is not provided

1 to the town clerk. The town clerk shall notify the Secretary of State of any
2 changes in the list as filed. Information of a candidate's gender, age, or race or
3 ethnicity collected pursuant to this subsection is exempt from public inspection
4 and copying under the Public Records Act and shall be kept confidential,
5 except that the Secretary of State may publish information pertaining to
6 candidates' gender, age, or race or ethnicity in aggregate form.

7 * * * Write-in Candidate Registration and Minimum Thresholds in Primary
8 Elections * * *

9 Sec. 13. 17 V.S.A. § 2370 is amended to read:

10 § 2370. WRITE-IN CANDIDATES

11 (a)(1) In order to have votes listed for a write-in candidate under
12 subdivision 2587(e)(3) of this title, not later than 5:00 p.m. on the second
13 Friday preceding the primary election, a write-in candidate for the General
14 Assembly, any county office, any State office, or any federal office shall file
15 with the Secretary of State a form consenting to candidacy for office as set
16 forth in subsection 2587(e) of this title. The Secretary of State shall notify the
17 town clerks of any filings made in accordance with this subsection not later
18 than the Friday before the election.

19 (b) A write-in candidate shall not qualify as a primary winner unless ~~he or~~
20 ~~she~~ the candidate receives ~~at least one-half~~ the same number of votes as the
21 number of signatures required for ~~his or her~~ the candidate's office on a primary

1 petition, except that if a write-in candidate receives more votes than a
2 candidate whose name is printed on the ballot, ~~he or she may~~ the write-in
3 candidate shall qualify as a primary winner.

4 ~~(b)~~(c) The write-in candidate who qualifies as a primary winner under this
5 section must still be determined a winner under section 2369 of this chapter
6 before ~~he or she~~ the candidate becomes the party’s candidate in the general
7 election.

8 Sec. 14. 17 V.S.A. § 2472 is amended to read:

9 § 2472. CONTENTS

10 * * *

11 (b)(1) Each office to be voted upon shall be separately indicated and
12 preceded by the word “For,” as: “For United States Senator.” Beneath the
13 office to be voted upon shall appear the instructions: “Vote for not more than
14 (the number of candidates to be elected).”

15 * * *

16 (6) In order to have votes listed for a write-in candidate under
17 subdivision 2587(e)(3) of this title, not later than 5:00 p.m. on the second
18 Friday preceding the general election, a write-in candidate for the General
19 Assembly, any county office, any State office, or any federal office shall file
20 with the Secretary of State a form consenting to candidacy for office as set
21 forth in subsection 2587(e) of this title. The Secretary of State shall notify the

1 town clerks of any filings made in accordance with this subsection not later
2 than the Friday before the election.

3 * * *

4 Sec. 15. 17 V.S.A. § 2587 is amended to read:

5 § 2587. RULES FOR COUNTING VOTES

6 * * *

7 (e)(1) In the case of “write-in” votes, the act of writing in the name of a
8 candidate, or pasting a label containing a candidate’s name upon the ballot,
9 without other indications of the voter’s intent, shall constitute a vote for that
10 candidate, even though the voter did not fill in the square or oval after the
11 name.

12 (2)(A) A vote for a write-in candidate shall be counted as a write-in vote
13 that is without consent of candidate unless the write-in candidate filed a
14 consent of candidate form with the Secretary of State in accordance with
15 section 2370 of this title in the primary election, subsection 2472(b) of this title
16 for the general election, and subsection 2703(f) of this title for the presidential
17 primary. The consent form shall set forth the name of the candidate, the name
18 of the office for which the candidate consents to be a candidate, the candidate’s
19 town of residence, and the candidate’s correct mailing address. The clerk shall
20 record the name and vote totals of a write-in candidate who has filed in
21 accordance with section 2370 of this title in the primary election, subsection

1 2472(b) of this title for the general election, and subsection 2703(f) of this title
2 for the presidential primary.

3 (B) The Secretary of State shall prepare and furnish forms for
4 candidate consent purposes.

5 (3) The election officials counting ballots and tallying results shall only
6 list every person who receives a “write-in” vote and the number of votes
7 received the names and votes received of those write-in candidates who
8 consented to candidacy for the office pursuant to section 2370 of this title in
9 the primary election, subsection 2472(b) of this title for the general election,
10 and subsection 2703(f) of this title for the presidential primary. Any write-in
11 votes for candidates who have not consented to the write-in candidacy shall be
12 listed as “write-ins.”

13 (A) On each tally sheet, the counters shall add together the names of
14 candidates that are clearly the same person, even though a nickname or last
15 name is used.

16 (B) Names of ~~fictitious or deceased~~ persons who are not registered
17 write-in candidates shall not be listed and shall be recorded on the tally sheet
18 as a blank vote.

19 (f) When the same number of persons are nominated for the position of
20 justice of the peace as there are positions to be filled, the presiding officer may
21 declare the whole slate of candidates elected without making individual tallies,

1 providing each person on the slate has more votes than the largest number of
2 write-in votes for any one registered write-in candidate.

3 * * * Campaign Finance * * *

4 Sec. 16. 17 V.S.A. § 2921 is amended to read:

5 § 2921. CANDIDATES; REGISTRATION; CHECKING ACCOUNT;

6 TREASURER

7 (a) Each candidate who ~~has made expenditures or accepted contributions of~~
8 ~~\$500.00 or more in an election cycle~~ files a consent to the printing of the
9 candidate's name on the ballot, as provided in section 2361 of this title, shall
10 register with the Secretary of State ~~within 10 days of reaching the \$500.00~~
11 ~~threshold or on the date that the next report is required of the candidate under~~
12 ~~this chapter, whichever occurs first,~~ prior to filing the consent stating ~~his or her~~
13 the candidate's full name and address; the office the candidate is seeking; the
14 name and address of the bank in which the candidate maintains ~~his or her~~ the
15 campaign checking account if raising or spending any campaign funds; and
16 the name and address of the treasurer responsible for maintaining the checking
17 account. A candidate's treasurer may be the candidate or ~~his or her~~ the
18 candidate's spouse.

19 * * *

1 Sec. 17. 17 V.S.A. § 2964 is amended to read:

2 § 2964. CAMPAIGN REPORTS; CANDIDATES FOR STATE OFFICE,
3 THE GENERAL ASSEMBLY, AND COUNTY OFFICE;
4 POLITICAL COMMITTEES; POLITICAL PARTIES

5 (a)(1) Each candidate for State office, the General Assembly, or a two-
6 year-term county office ~~who has rolled over any amount of surplus into his or~~
7 ~~her new campaign or who has made expenditures or accepted contributions of~~
8 ~~\$500.00 or more during the two year general election cycle and, except as~~
9 ~~provided in subsection (b) of this section, each political committee that has not~~
10 ~~filed a final report pursuant to subsection 2965(b) of this chapter, and each~~
11 political party required to register under section 2923 of this chapter shall file
12 with the Secretary of State campaign finance reports as follows:

13 * * *

14 (2) Each candidate for a four-year-term county office ~~who has rolled~~
15 ~~over any amount of surplus into his or her new campaign or who has made~~
16 ~~expenditures or accepted contributions of \$500.00 or more during the four year~~
17 ~~general election cycle~~ shall file with the Secretary of State campaign finance
18 reports as follows:

19 * * *

20 Sec. 18. 17 V.S.A. § 2901 is amended to read:

21 § 2901. DEFINITIONS

1 As used in this chapter:

2 * * *

3 (10) ~~“Independent expenditure only political committee” means a~~
4 ~~political committee that conducts its activities entirely independent of~~
5 ~~candidates; does not give contributions to candidates, political committees, or~~
6 ~~political parties; does not make related expenditures; and is not closely related~~
7 ~~to a political party or to a political committee that makes contributions to~~
8 ~~candidates or makes related expenditures.~~

9 (11) “Mass media activity” means a television commercial, radio
10 commercial, ~~Internet~~ internet advertisement, mass mailing, mass electronic or
11 digital communication, literature drop, newspaper or periodical advertisement,
12 robotic phone call, or telephone bank, that includes the name or likeness of a
13 clearly identified candidate for office.

14 (11) “Party candidate listing” means any communication by a
15 political party that:

16 * * *

17 (12) “Political committee” or “political action committee” means
18 any formal or informal committee of ~~two~~ one or more individuals or a
19 corporation, labor organization, public interest group, or other entity, not
20 including a political party, that accepts contributions of \$1,000.00 or more ~~and~~
21 or makes expenditures of \$1,000.00 or more in any two-year general election

1 cycle for the purpose of supporting or opposing one or more candidates,
2 influencing an election, or advocating a position on a public question in any
3 election, and includes ~~an independent expenditure only political committee a~~
4 public question campaign and a legislative leadership political committee.

5 ~~(14)~~(13) “Political party” means a political party organized under
6 chapter 45 of this title and any committee established, financed, maintained, or
7 controlled by the party, including any subsidiary, branch, or local unit thereof,
8 and shall be considered a single, unified political party. The national affiliate
9 of the political party shall be considered a separate political party.

10 ~~(15)~~(14) “Public question” means an issue that is before the voters for a
11 binding decision.

12 (15) “Public question campaign” means a political campaign that
13 conducts its activities entirely independent of candidates; does not give
14 contributions to candidates, political committees, or political parties; does not
15 make related expenditures; and is not closely related to a political party or to a
16 political committee that makes contributions to candidates or makes related
17 expenditures.

18 * * *

19 Sec. 19. REPEAL

20 17 V.S.A. § 2970 (campaign reports; other entities; public questions) is
21 repealed.

1 * * * Audit of Voter Checklists and District Boundaries* * *

2 Sec. 20. AUDIT

3 The Secretary of State, or the Secretary’s designee, in consultation with
4 town clerks and local boards of civil authority, shall perform an audit of all
5 voter checklists for representative districts and senatorial districts to ensure
6 that those checklists accurately correspond to the prescribed district
7 boundaries. On or before November 15, 2025, the Secretary shall submit a
8 written report to the House Committee on Government Operations and
9 Military Affairs and the Senate Committee on Government Operations with the
10 Secretary’s findings.

11

12 * * * Deadline Modifications and Miscellaneous Clarifications * * *

13 Sec. 21. 17 V.S.A. § 1971 is amended to read:

14 § 1971. CASTING MORE THAN ONE BALLOT

15 A legal voter who knowingly ~~casts more than one ballot at any one time of~~
16 ~~balloting~~ votes more than once in any election held in this State, or who votes
17 in both this State and another state or territory in the same or equivalent
18 election for the same office shall be fined not more than \$1,000.00 if the
19 offense is committed at a primary or general election, and not more than
20 \$100.00 if committed at a local election.

21 Sec. 22. REPEAL

1 17 V.S.A. § 1973 (voting in more than one place) is repealed.

2 Sec. 23. 17 V.S.A. § 2103 is amended to read:

3 § 2103. DEFINITIONS

4 As used in this title, unless the context or a specific definition requires a
5 different reading:

6 * * *

7 (6) “Campaign” means any organized or coordinated activity undertaken
8 by ~~two~~ one or more persons, any part of which is designed to influence the
9 nomination, election, or defeat of any candidate or the passage, defeat, or
10 modification of any public question.

11 * * *

12 Sec. 24. 17 V.S.A. § 2358 is amended to read:

13 § 2358. EXAMINING PETITIONS; SUPPLEMENTARY PETITIONS

14 * * *

15 (b) If found not to conform, ~~he or she~~ the officer shall state in writing on a
16 particular petition why it cannot be accepted, and within ~~72 hours~~ two business
17 days from receipt, ~~he or she~~ the officer shall return it to the candidate in whose
18 behalf it was filed. In such case, supplementary petitions may be filed not later
19 than 10 days after the date for filing petitions. However, supplementary
20 petitions shall not be accepted if petitions with signatures of different persons
21 totaling at least the required number were not received by the filing deadline.

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* * *

Sec. 25. 17 V.S.A. § 2313 is amended to read:

§ 2313. FILING OF CERTIFICATE OF ORGANIZATION

* * *

(f) At the same time of filing the certificate of organization, the chair and secretary shall file with the Secretary of State a single machine-readable electronic document containing a list of the names and addresses of the town and county committee members from those towns and counties who have organized pursuant to this chapter.

(g) A committee is not considered organized until the material required by this section has been filed and accepted.

Sec. 26. 17 V.S.A. § 2413 is amended to read:

§ 2413. NOMINATION OF JUSTICES OF THE PEACE

(a)(1) The party members in each town, on or before the third Monday in July before each primary election, upon the call of the town committee, may meet in caucus and nominate candidates for justice of the peace.

* * *

(e) For any nomination made under this section, the chair and secretary of the committee or caucus shall file the statement required by section 2385 of this title by 5:00 p.m. on the ~~third day following~~ fourth Monday in July before the primary election.

1 Sec. 27. 17 V.S.A. § 2493 is amended to read:

2 § 2493. RULES FOR USE OF VOTE TABULATORS; AUDITS

3 (a) The Secretary of State shall adopt rules governing the use and the
4 selection of any vote tabulator in the State. These rules shall include
5 requirements that:

6 * * *

7 (3)(A) The Secretary of State shall conduct a ~~random~~ postelection audit
8 of any polling place election results for a general election within 30 days of the
9 election.

10 (B) If the Secretary determines that a ~~random~~ an audit shall be
11 conducted of the election results in a town or city, the town clerk shall direct
12 two members of the board of civil authority to transport the ballot bags to the
13 office of the Secretary not later than 10:00 a.m. on the morning when the
14 Secretary has scheduled the audit.

15 * * *

16 Sec. 28. 17 V.S.A. § 2546 is amended to read:

17 § 2546. RECEIPT OF BALLOTS BY CLERK; VOTER STATUS;

18 OPPORTUNITY TO CURE; PROCESSING ABSENTEE BALLOTS

19 (a) Town clerk; process generally. Beginning ~~30~~ 45 days before the
20 opening of the polls on election day, upon receipt of a mailing envelope
21 containing ballots returned by a voter, the town clerk shall, within three

1 business days or on the next day the office is open for business, whichever is
2 later, direct two election officials working together to do all of the following:

3 * * *

4 * * * Local Elections; Open Meeting Law Not Applicable to Annual

5 Meetings * * *

6 Sec. 29. 1 V.S.A. § 310 is amended to read:

7 § 310. DEFINITIONS

8 As used in this subchapter:

9 * * *

10 (5)(A) “Meeting” means a gathering of a quorum of the members of a
11 public body for the purpose of discussing the business of the public body or for
12 the purpose of taking action.

13 * * *

14 (E) “Meeting” does not mean a gathering of the voters of a
15 municipality for purposes of conducting an annual or special municipal
16 meeting.

17 (6) “Public body” means any board, council, or commission of the State
18 or one or more of its political subdivisions, any board, council, or commission
19 of any agency, authority, or instrumentality of the State or one or more of its
20 political subdivisions, or any committee or subcommittee of any of the

1 foregoing boards, councils, or commissions, except that “public body” does not
2 include:

3 (A) councils or similar groups established by the Governor for the
4 sole purpose of advising the Governor with respect to policy; or

5 (B) the voters of a municipality at an annual or special municipal
6 meeting.

7 * * *

8 * * * Local Elections; Cannabis Establishment Vote; Australian Ballot * * *

9 Sec. 30. 7 V.S.A. § 863 is amended to read:

10 § 863. REGULATION BY LOCAL GOVERNMENT

11 (a)(1) Prior to a cannabis retailer or the retail portion of an integrated
12 licensee operating within a municipality, the municipality shall affirmatively
13 permit the operation of such cannabis establishments by majority vote of those
14 ~~present and~~ voting by Australian ballot at an annual or special meeting warned
15 for that purpose. A municipality may place retailers or integrated licensees, or
16 both, on the ballot for approval.

17 * * *

18 * * * Local Elections; Annual and Special Municipal Meetings * * *

19 Sec. 31. 17 V.S.A. chapter 55, subchapter 2 is amended to read:

20 Subchapter 2. ~~Town~~ Municipal Meetings and Local Elections in General

21 * * *

1 § 2640. ANNUAL MEETINGS

2 * * *

3 (b)(1) When a town so votes, it may thereafter start its annual meeting on
4 any of the three days immediately preceding the first Tuesday in March at such
5 time as it elects and may transact at that time any business not involving voting
6 by Australian ballot or voting required by law to be by ballot and to be held on
7 the first Tuesday in March. A meeting so started shall be adjourned until the
8 first Tuesday in March.

9 * * *

10 (3) The affirmative vote of a town pursuant to subsection (a) of this
11 section shall remain in effect until rescinded by a majority vote of the voters at
12 an annual or special meeting duly warned for that purpose.

13 * * *

14 § 2642. WARNING AND NOTICE CONTENTS

15 (a)(1) The warning shall include the date and time of the election, location
16 of the polling place or places, and the nature of the meeting or election.

17 * * *

18 (3)(A) The warning shall also contain any article or articles requested by
19 a petition signed by at least five percent of the voters of the municipality and
20 filed with the municipal clerk not less than 47 days before the day of the
21 meeting.

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* * *

(D) A voter may withdraw ~~his or her~~ the voter's name from a petitioned article at any time prior to the signing of the warning by a majority of the legislative body. The voter acting as the lead petitioner may withdraw the petitioned article in its entirety prior to the signing of the warning by a majority of the legislative body.

* * *

§ 2645. CHARTERS; ADOPTION, REPEAL, OR AMENDMENT;
PROCEDURE

(a) A municipality may propose to the General Assembly to adopt, repeal, or amend its charter by majority vote of the legal voters of the municipality present and voting at any annual or special meeting warned for that purpose in accordance with the following procedure:

* * *

(6)(A) Notice of ~~each public hearing and of~~ the annual or special meeting shall be given in accordance with section 2641 of this chapter. Notice of each public hearing shall be given 10 days preceding the hearing and in the same locations and manner as required by section 2641 of this chapter.

* * *

§ 2651a. CONSTABLES; APPOINTMENT; REMOVAL; ELIMINATION
OF OFFICE

1 (a)(1) A town may vote ~~by Australian ballot~~ at an annual or special meeting
2 to authorize the selectboard to appoint a first constable, and if needed a second
3 constable, in which case at least a first constable shall be appointed.

4 * * *

5 (3) When a town votes to authorize the selectboard to appoint
6 constables, the selectboard's authority to make ~~such~~ the appointments shall
7 remain in effect until the town rescinds that authority by the majority vote of
8 the registered voters ~~present and voting~~ at an annual or special meeting duly
9 warned for that purpose.

10 (b) ~~Notwithstanding the provisions of subsection (a) to the contrary, a vote~~
11 ~~to authorize the selectboard to appoint constables shall become effective only~~
12 ~~upon a two-thirds vote of those present and voting if a written protest against~~
13 ~~the authorization is filed with the selectboard at least 15 days before the vote~~
14 ~~by at least five percent of the voters of the town. [Repealed.]~~

15 * * *

16 § 2651d. COLLECTOR OF DELINQUENT TAXES; APPOINTMENT;
17 REMOVAL

18 (a)(1) A municipality may vote at an annual or special municipal meeting
19 to authorize the legislative body to appoint a collector of delinquent taxes, who
20 may be the municipal treasurer.

1 omission or noncompliance, if the meeting and the business transacted at it is
2 otherwise legal and within the scope of the municipal powers, may be
3 corrected and legalized by vote at a regular meeting or special meeting of the
4 municipality called and duly warned for that purpose. The question to be
5 voted upon shall substantially be, “Shall the action taken at the meeting of this
6 town (or city, village or district) held on (state date) in spite of the fact that
7 (state the error or omission), and any act or action of the municipal officers or
8 agents pursuant thereto be readopted, ratified, and confirmed.” Errors or
9 omissions in the conduct of an original meeting that are not the result of an
10 unlawful notice or warning or noncompliance within the scope of the warning,
11 including technical errors within the content of a ballot, may be cured by a
12 resolution of the legislative body of the municipality by a vote of two-thirds of
13 all its members at a regular meeting or a special meeting called for that
14 purpose, stating that the defect was the result of oversight, inadvertence, or
15 mistake. When an error or omission of this nature has been ~~thus~~ corrected by
16 resolution, all business within the terms of the action of the qualified voters
17 shall be as valid as if the requirements had been initially complied with,
18 condition, however, that the original action ~~thereby~~ corrected by the legislative
19 body was in compliance with the legal exercise of its corporate powers.

20 * * *

21 * * * Local Elections; Australian Ballot System * * *

1 Sec. 32. 17 V.S.A. chapter 55, subchapter 3 is amended to read:

2 Subchapter 3. Local Elections Using the Australian Ballot System

3 § 2680. AUSTRALIAN BALLOT SYSTEM; GENERAL

4 * * *

5 (h) Hearing.

6 (1) Whenever a municipality has voted to adopt the Australian ballot
7 system of voting on any public question or budget, except the budget revote as
8 provided in subsection (c) of this section or as otherwise specified in State law
9 requiring the use of Australian ballot of system of voting but not expressly
10 requiring an informational hearing, the legislative body shall hold a public
11 informational hearing on the question by posting warnings at least 10 days in
12 advance of the hearing in at least two public places within the municipality and
13 in the town clerk's office.

14 * * *

15 § 2681. NOMINATIONS; PETITIONS; CONSENTS

16 (a)(1)(A) Nominations of the municipal officers shall be by petition. The
17 petition shall be filed with the municipal clerk, together with the endorsement,
18 if any, of any party or parties in accordance with the provisions of this title, not
19 later than 5:00 p.m. on the ~~sixth~~ fifth Monday preceding the day of the
20 election, which shall be the filing deadline.

1 (B) A candidate shall be registered to vote in the town ~~he or she~~ the
2 candidate is seeking office at or before the time of filing the petition.

3 * * *

4 * * * Local Elections; Fire Districts; Voters * * *

5 Sec. 33. 20 V.S.A. § 2485 is amended to read:

6 § 2485. OFFICERS GENERALLY

7 ~~A~~ The voters of a fire district shall elect at its first meeting and at each
8 annual meeting thereafter a clerk, a treasurer, and a collector of taxes. ~~Such fire~~
9 ~~district~~ The voters may elect a chief engineer and ~~such~~ any assistant engineers
10 as are necessary, whether or not they are inhabitants of the district, who shall
11 rank in the order of their election. ~~Such~~ The officers shall hold office until the
12 next annual meeting and until others are elected. A vacancy in any office may
13 be filled by the prudential committee. ~~Such district at its~~ At the district's first
14 meeting, the voters shall elect a prudential committee that shall consist of three
15 persons, who shall serve for one, two, and three years, respectively. ~~Thereafter~~
16 ~~at~~ At each subsequent annual meeting, a member of ~~such~~ the prudential
17 committee shall be elected for the term of three years. If the fire district so
18 votes, two additional persons may be elected to ~~such~~ the committee for a term
19 of one year. A vacancy in ~~such~~ the committee may be filled at an annual
20 meeting, or at a special meeting called for that purpose, but the ~~selectboard~~
21 legislative body of the ~~town~~ municipality in which ~~such~~ the district is located

1 may fill a vacancy in ~~such~~ the committee until an election by the appointment
2 of a resident of ~~such~~ the district. When a meeting is not held on the second
3 Monday in January, the officers of the district may be elected at a special
4 meeting. The officers shall be elected by ballot if demanded by a voter and
5 confirmed by a majority vote.

6 * * * Local Elections; Vacancies in Town Offices * * *

7 Sec. 34. 24 V.S.A. chapter 33, subchapter 6 is amended to read:

8 Subchapter 6. Vacancies in Town Offices

9 § 961. VACANCY OR SUSPENSION OF OFFICER'S DUTIES

10 (a) When a an elected municipal officer resigns the officer's office, has
11 been removed from the office, dies, becomes unable to perform the officer's
12 duties due to a mental condition or psychiatric disability, or removes from
13 ~~town~~ the municipality, the office shall become vacant. Notice of this vacancy
14 shall be posted by the legislative body in at least two public places in the
15 municipality, and in and near the municipal clerk's office, within 10 days of
16 after the creation of the vacancy.

17 * * *

18 § 962. SPECIAL MUNICIPAL MEETING

19 A ~~town~~ municipality at a special municipal meeting may fill a vacancy in a
20 ~~town~~ municipal office.

1 § 963. DUTIES OF SELECTBOARD; SPECIAL MEETING

2 (a) When a vacancy occurs in any town office, the selectboard forthwith by
3 appointment in writing shall fill ~~such~~ the vacancy until an election is had;
4 except that in the event of vacancies in a majority of the selectboard at the
5 same time, ~~such~~ the vacancies shall be filled by a special ~~town~~ municipal
6 meeting called for that purpose. Notwithstanding the provisions of this
7 subsection, the selectboard shall not be required to fill a vacancy that occurs
8 within 90 days **before** the date of the municipality's annual meeting.

9 (b) The selectboard shall file an appointment made under this section in the
10 office of the ~~town~~ municipal clerk and the ~~town~~ clerk shall duly record it in the
11 book of ~~town~~ municipal records.

12 (c) If there are no selectboard members in office, the Secretary of State
13 shall call a special election to fill any vacancies and for that interim shall
14 appoint and authorize the ~~town~~ municipal clerk or another qualified person to
15 draw orders for payment of continuing obligations and necessary expenses
16 until the vacancies are filled.

17 * * * Local Elections; Authority of Constables * * *

18 Sec. 35. 24 V.S.A. § 1529 is amended to read:

19 § 1529. FIRST CONSTABLE AS COLLECTOR

20 The first constable, if elected, shall be collector of State, county, town, and
21 town school district taxes when a collector of taxes is not appointed or elected

1 at the annual town meeting, and shall pay over the taxes collected agreeably to
2 the warrants for their collection.

3 Sec. 36. 24 V.S.A. § 1936a is amended to read:

4 § 1936a. CONSTABLES; POWERS AND QUALIFICATIONS

5 (a) A town may vote at a special or annual town meeting to prohibit
6 constables from exercising any law enforcement authority. A vote to prohibit
7 constables from exercising any law enforcement authority shall remain in
8 effect until rescinded by the majority vote of the registered voters at an annual
9 or special meeting duly warned for that purpose.

10 * * *

11 * * * Effective Date * * *

12 Sec. 37. EFFECTIVE DATE

13 This act shall take effect on passage.